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3 UNITED STATES DISTRICT COURT
4 NORTHERN DISTRICT OF CALIFORNIA
5 SAN JOSE DIVISION
6

7 KUANG-BAO P. OU-YOUNG,

Case No. 19-cv-07000-BLF

8 Plaintiff,

9 v.

10 LAWRENCE E. STONE, Santa Clara
11 County Assessor; JEANETTE TONINI,
12 Senior Assessment Clerk; and COUNTY OF
13 SANTA CLARA,

Defendants.

14
15 KUANG-BAO P. OU-YOUNG,

Case No. 19-cv-07231-BLF

16 Plaintiff,

17 v.

18 LAWRENCE E. STONE, Santa Clara
19 County Assessor; JEANETTE TONINI,
20 Senior Assessment Clerk; and COUNTY OF
21 SANTA CLARA,

Defendants.

SUA SPONTE ORDER
CONSOLIDATING CASES

22
23 The Court has reviewed the complaints in Case Nos. 19-cv-07000-BLF and 19-cv-07231-
24 BLF and *sua sponte* consolidates the two above-captioned actions brought by Plaintiff Kuang-Bao
25 P. Ou-Young against Defendants County of Santa Clara, County Assessor Lawrence E. Stone, and
26 Senior Assessment Clerk Jeanette Tonini. In both actions, Plaintiff asserts that his spouse
27 transferred her interest in their residence to Plaintiff; the County assessor's office unlawfully
28 terminated Plaintiff's homeowner's exemption in order to raise Plaintiff's property taxes; and the

County assessor's office has declined to restore Plaintiff's homeowner's exemption since September 10, 2019. The only material difference between the two actions is that Plaintiff named District Judge Edward J. Davila as a defendant in Case No. 19-cv-07000-BLF, but not as a defendant in Case No. 19-cv-07231-BLF. However, Judge Davila has been dismissed from Case No. 19-cv-07000-BLF. The two actions now assert essentially the same claims against the same defendants.

"If actions before the court involve a common question of law or fact, the court may . . . consolidate the actions." Fed. R. Civ. P. 42(a). The "district court has broad discretion under this rule to consolidate cases pending in the same district." *Investors Research Co. v. U.S. Dist. Court for Cent. Dist. of California*, 877 F.2d 777, 777 (9th Cir. 1989). "In determining whether or not to consolidate cases, the Court should weigh the interest of judicial convenience against the potential for delay, confusion and prejudice." *Bodri v. Gopro, Inc.*, 2016 WL 1718217, at *1 (N.D. Cal. Apr. 28, 2016) (internal quotation marks and citation omitted).

Because Case No. 19-cv-07000-BLF and Case No. 19-cv-07231-BLF are based on the same facts, and assert substantially the same claims against the same defendants, the Court finds that consolidation of the actions would further judicial economy. Consolidation will not cause delay or prejudice to the parties, as both cases are at a very early stage. Accordingly, Case No. 19-cv-07000-BLF and Case No. 19-cv-07231-BLF are HEREBY CONSOLIDATED. The consolidated action shall proceed under Case No. 19-cv-07000-BLF, and Case No. 19-cv-07231-BLF shall be closed.

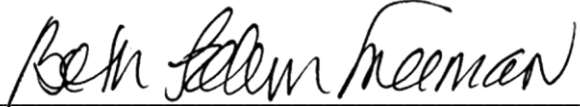
IV. ORDER

(1) Case No. 19-cv-07000-BLF and Case No. 19-cv-07231-BLF are HEREBY CONSOLIDATED;

(2) The consolidated action shall proceed under Case No. 19-cv-07000-BLF; and

(3) Case No. 19-cv-07231-BLF shall be closed.

Dated: December 5, 2019


BETH LABSON FREEMAN
United States District Judge